



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MAIL STOP AMENDMENT
Karl BOUTELET et al.)	
Application No.: 10/617,092)	Group Art Unit: 1616
Filed: July 11, 2003)	Examiner: Shelley A. Dodson
For: PHOTOPROTECTIVE/COSMETIC)	Confirmation No.: 1950
COMPOSITIONS COMPRISING)	
SULFONIC/HYDROPHOBIC)	
AMPHIPHILIC POLYMERS)	

RESPONSE TO OFFICIAL ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following remarks are offered in response to the September 8, 2004 Official Action. In light of these remarks, reexamination and reconsideration of the subject application under 37 C.F.R. § 1.112 are respectfully requested.

Claims 1-78 are in this application. The Official Action erroneously indicates that only Claims 1-74 are in the application.

Claims 1-74 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-54 of copending Application No. 10/616,947. Presumably, this rejection was intended for all of Claims 1-78. Without conceding that the Examiner's position has any merit, applicants are filing an appropriate terminal disclaimer herewith to obviate the record rejection.

At the time this application was filed, applicants submitted a copy of the English-language International Search Report (ISR) issued in connection with PCT/FR02/00028, of which the present application is a continuation. The

accompanying Information Disclosure Statement and Form PTO-1449 submit these references for the Examiner's consideration. All of the references were considered general state of the art references in the ISR. Return of an initialed PTO-1449 with the next official communication is requested.

In view of the foregoing, applicants submit that the only record rejection has been overcome. Further favorable action in the form of a Notice of Allowance is believed to be next in order and is earnestly solicited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: December 8, 2004

By: Mary Katherine Baumeister
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Karl BOUTELET et al.

Application No.: 10/617,092

Filing Date: July 11, 2003

Title: PHOTOPROTECTIVE/COSMETIC COMPOSITIONS
COMPRISING SULFONIC/HYDROPHOBIC
AMPHIPHILIC POLYMERS

Group Art Unit: 1616

Examiner: Shelley A. Dodson

Confirmation No.: 1950

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☒ A Terminal Disclaimer(s) and the ☐ \$55.00 (2814) ☒ \$110.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☒ Also enclosed is/are Information Disclosure Statement, Form PTO-1449 and copies of 7 references

- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the
☐ \$395.00 (2801) ☐ \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered.
Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted _____

_____ on _____
for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least _____,
which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R.
§ 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	78	MINUS 78 =	0	x \$18.00 (1202) =	\$ 0.00
Independent Claims	2	MINUS 3 =	0	x \$88.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$300.00 (1203)					
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 0.00

- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to Deposit Account No. 02-4800.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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Date: December 8, 2004

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